

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Regina Rucker, ex rel. Estate of
Jayvion Rucker-Todd,

Plaintiff,

Case No. 14-cv-11684

Hon. Judith E. Levy

Mag. Judge Michael J. Hluchaniuk

v.

Hyatt Regency Dearborn, et al.,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION FOR ORDER TO
SHOW CAUSE [44]**

This matter is before the Court on defendants' motion for an order requiring non-party witness Cheneka Gardner to show cause why she should not be held in contempt for failing to appear for her deposition on June 15, 2015. (Dkt. 44.) Defendants issued a subpoena on May 21, 2015, and served Gardner by process server on May 28, 2015. (Dkt. 44-6, Ex. 5 to Defs.' Mot.) Defendants served Gardner with a copy of their motion by certified mail. (Dkt. 44, Defs.' Mot. ¶ 14.)

Fed. R. Civ. P. 45(g) permits the issuing court to hold in contempt a person who has been served with a subpoena but "fails without

adequate excuse to obey the subpoena or an order related to it.”

Accordingly, defendants’ motion (Dkt. 44) is GRANTED; and

Cheneka Gardner is ORDERED to show cause, in writing, by **Monday, July 6, 2015**, why she should not be held in contempt for failing to appear for her June 15, 2015 deposition.

IT IS SO ORDERED.

Dated: June 22, 2015
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 22, 2015.

s/Holly Monda
HOLLY MONDA, in the absence
of FELICIA M. MOSES
Case Manager